

## ADVERTISEMENT

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## TIGER SEES TRAP IN SWANN CASE

## Tammany Regards Attack as Fusion's Opening Gun

The charges filed against District Attorney Swann are already causing some consternation among the local Democratic leaders, looking ahead to the Mayoralty campaign next fall. Some of the Tammany leaders yesterday declared that the attack on the District Attorney was purely political. They saw in it the first artillery fire of the Republican-fusion drive to clear the way for a fusion drive on the Mayoralty.

Whatever the result of the Deleahanty-Swann controversy may be, politicians contended that it was bound to have a damaging effect on the next Tammany municipal campaign.

The Democrats charged that the Republicans were attempting to kill two birds with one stone—putting District Attorney Swann out of the running as a possible Tammany candidate for Mayor and at the same time injuring the cause of any other candidate Tammany might place in the field. They argued that the fusion drive, which would afford good political capital for the fusionists. They had no doubt that if Mayor Mitchell should run again on a fusion ticket the charges would loom up as a campaign issue. Some of the politicians believed that the charges, brought at this time, precluded an early announcement of the organization of the fusion force.

The charges have given a good deal of impetus in Tammany circles to the discussion of candidates for the Mayoralty, based on the assumption that there is bound to be a fusion against the Tiger. It is understood that the nomination was to go to District Attorney Swann in the normal course of events, but the Deleahanty charges are said to have put a question on his candidacy.

It is known that certain influential Tammany leaders are anxious to concentrate on some "big man" to fight Mayor Mitchell. George McAneny, former President of the Board of Aldermen, has been mentioned as the one man these leaders would like to see at the head of the Tammany ticket. Mr. McAneny's friends declare, however, that he does not aspire to the Mayoralty and could not be persuaded to be a candidate against Mayor Mitchell in case the latter was to head the fusion ticket.

The suggestion, originating in Brooklyn, that Tammany might rally around Herman A. Metz as a candidate for Mayor has received respectful consideration in Manhattan Tammany circles. One local Tammany leader said yesterday that the talk of Metz as Tammany's standard bearer next fall had become more general since the Deleahanty charges were filed.

The political availability of Mr. Metz is disputed by some of the leaders because of his German extraction. The leaders close to Charles F. Murphy say that he is in favor of a strict organization man for the Mayoralty nomination, and believes that a straight Tammany candidate would show more strength against a fusion nominee than a Democratic candidate with more independent affiliations. The name of State Senator Robert F. Wagner is frequently mentioned as a Murphy favorite.

## COWDRAY HEADS AIR BOARD

Succeeds Baron Sydenham as Director of British Sky Defence

London, Jan. 2.—Baron Cowdray has been appointed chairman of the British air board, in succession to Baron Sydenham, who has resigned as Baron Cowdray accepted the post on the condition that he receive no salary.

## Your Money Need Not Be Idle

The Certificates of Deposit issued by us are specially designed for the accommodation and convenience of individuals and institutions having surplus funds which are awaiting more favorable opportunities for investment.

They are issued for stipulated periods, and yield a more substantial rate of interest than funds subject to check.

Our Officers will go into the matter more fully when you call

## Fifth Avenue Trust Co.

Trustee for Personal Trusts

FIFTH AVENUE AND 36TH STREET

## LABOR SUPPORTS SWANN AGAINST FRAUD CHARGE

District Attorney Gets Aid of Hugh Frayne, of A. F. of L.

## GENERAL SESSIONS COURT HOLDS ALOOF

Breckinridge Denies He Was in Service of Employers When in Office

The labor union issue was injected into the case of District Attorney Swann last night. Hugh Frayne, in charge of the New York offices of the American Federation of Labor, declared that "organized labor to a man will stand back of District Attorney Swann" in his defense of the fraud charges made by James A. Deleahanty.

That certain leaders of organized labor had entered into a deal with Tammany Hall to lend their support to the Tammany ticket in 1915 on condition that the indictment against the twenty-eight labor officials involved in the charges be dropped is one of the allegations brought to the attention of Governor Whitman.

District Attorney Swann, in a statement issued last night, declared that Lucian S. Breckinridge, whom he regards as primarily responsible for the charges filed by Deleahanty against Mr. Swann, was in the employ of the manufacturers' association while he was an Assistant District Attorney working up the cases against the twenty-eight union labor leaders. When Mr. Swann's statement was read to him Mr. Breckinridge said:

"I deny it absolutely. It is false in toto. I do not want to enter into any further controversy now with Mr. Swann. Muddling between us will have no effect on the charges against me. I never appeared for any of the manufacturers before I left the office. I never had any of them as clients while I was in the office. I have from time to time since I left the office had my firm called for clients. As a matter of fact, the manufacturers never rendered any assistance. I never received any assistance from them while in office."

"They hindered the prosecution instead of helping it. Mr. Swann's charge is false in its entirety. I shall not enter into any debate with him. To do so might sidetrack the issue, which is 'Did Mr. Swann do something he had no right to do?'"

Swann Scorns Attack

In the statement the District Attorney made a fresh attack on Deleahanty, which, when brought to his attention, brought forth the following comment:

"It is too nonsensical to answer. In giving out his latest attacks District Attorney Swann left it to be known that he would lose a blast to-day against a prominent Republican. It is understood that it will be along similar lines that his attack last night on Mr. Breckinridge."

The District Attorney lost in his efforts to forestall the investigation, his official statement, when word was brought to him that the judges of the Court of General Sessions, which he asked to investigate the charges, had agreed not to grant his request.

Mr. Swann appeared before Judge Mulqueen in Part I of General Sessions early in the day and asked that the court probe the Deleahanty charges. Friends of the District Attorney, charged that the accusations against him were the result of a political conspiracy on the part of Republicans to wrest his office from him.

Five Judges Attend

The judges reached their decision at a luncheon at the Hardware Club. Five judges attended. Besides Judge Mulqueen they were: Judges Rosalsky, Nott, Crain and Wadhams. One of them, discussing the case later, said:

"It is only a question of three or four days when the Governor will serve Mr. Swann with a copy of the charges and call upon him to answer. That act would immediately take the matter out of our hands, even if we went into it, which we have no desire to do."

"The constitution of the State of New York, Article X, Section 1, provides that the Governor may remove any District Attorney in the state after giving him a copy of the charges against him and an opportunity to be heard in his defense. The decision of the Governor in such a proceeding is not reviewable."

"Now, in face of this provision, the only one in law providing for the hearing of charges against a District Attorney, how could the judges of this court

## BROWN ATTACKS WHITMAN GROUP

Senate Leader Proposes New Committee to Guide City Legislation

## ARGESINGER LEADS FIGHT AGAINST PLAN

Republican Caucus Recedes After Clash; Battle During Session Seen

[From a Staff Correspondent of The Tribune]

Albany, Jan. 2.—The first clash between the Whitman and Brown forces in the State Senate, presaging a continuous fight throughout the session which opens to-morrow noon, came to-night in the Republican Senate caucus. It was occasioned by a proposal of Senator Elton R. Brown, president pro tem, and leader of the anti-Whitman element of the party, to establish a new committee of New York City Senators to have charge of legislation affecting the metropolis.

The debate behind closed doors just began to get hot when the sponsors of the plan engineered a recess until 10 o'clock in the morning. In spite of the suspicion of the Whitman forces, the resolution is expected to pass.

Reverend Governor Argesinger, of Rochester, Governor Whitman's leader in the Senate, who also represents George W. Aldridge and William L. Ward, led the opposition to the Brown proposal. When the caucus broke up at 10 o'clock, Senator Argesinger was determined to take the matter to the Governor and talk it over with him before presenting a decision. As a matter of fact, few of the Senators who to-night just left the caucus had a chance to digest it.

The new committee idea, a revolutionary departure in the Legislature, was sprung by Senator Brown soon after the caucus began. It was a complete surprise to almost all of the Republican members. Only a few of Brown's supporters knew his plans a few hours before the meeting. The significant feature of the incident, in fact, was the fact that the Brown proposal is regarded as a good one, but because it proceeds from Brown it is looked upon with suspicion by the Whitman Senators.

## Brown Would Head Committee

Briefly, the suggestion of Senator Brown, presented to the caucus as a resolution, was the establishment of a new committee of City Senators, to whom would be referred all legislation affecting the city, be composed of thirteen members—eleven from New York City, one from upstate and one from the other side of the State.

That part of the statement attacking Mr. Deleahanty is a new installment of the District Attorney's opinion of Tom Divine, one of the members of the contracting firm which is said to have received Judge Deleahanty's last firm to do all their legal work for \$50,000, and the following:

"Will Deleahanty say that he did not practice law and receive fees from clients while he was in the office of the District Attorney? He was a lawyer and received fees from clients while he was in the office of the District Attorney. He was a lawyer and received fees from clients while he was in the office of the District Attorney."

The attack on Mr. Breckinridge follows:

"I have just discovered to-day that while Mr. Breckinridge was specially retained by me to devote all of his time to the labor cases, he was actually representing some of the manufacturers' associations who were enemies of the labor unions, some of whom were under indictment. This fact he did not disclose to me."

"I have obtained the names and addresses of these manufacturers' associations that were paying him to pound on the labor unions, and he was using the position to which I appointed him for the purpose of advancing the cause of his private clients."

"Breckinridge still holds a brief for the manufacturers in their fight with the labor unions, and his activities in these charges are in part as attorney for the manufacturers against the unions."

## Labor Leader Announces Swann Will Get Support

District Attorney Swann will have the support of organized labor in fighting the charges made against him by ex-Judge James A. Deleahanty. This was announced last night by Hugh Frayne, organizer of the American Federation and in charge of the organization's New York office.

"Organized labor resents and will resist this or any similar effort to use or involve it in a perfectly obvious effort to destroy a public official because he refused to persecute union men arrested and held on trumped up testimony," he declared.

"The United Garment Workers will stand by their officers, and the American Federation of Labor, of which the garment workers form an integral part, will stand back of them. If the cases made the pretext for the attack upon Mr. Swann were new, if they grew out of a recent strike, the last strike, for instance, there would be ground for criticism; but the facts are that the cases date back to a strike of several years ago."

"The most that the District Attorney has accorded organized labor for its representatives is fair treatment."

"Organized labor has never asked anything but its due from Mr. Swann, and it would not have got more than its due had it asked for it."

Just what form the support of organized labor could or would take Mr. Frayne could not say last night.

"Depend upon it, though," said he, "it will do everything in its power."

Labor leaders of the East Side, where most of the garment workers live, were last night planning a demonstration in favor of District Attorney Swann in the near future.

## JAPANESE STEWARD USES RAZOR TO TAKE HIS LIFE

Saito's Body Found in His Room at Gedyne Farms Club

Showji Saito, proprietor of the Mansfield Apartments, adjoining Sherry's, at 12 West Forty-fourth Street, killed himself Monday night at the Gedyne Farms Golf and Country Club, White Plains. He had been dividing his time recently between his New York City property and the country club, where he was steward. His body was found in his room yesterday morning. He had cut his throat with a razor.

Saito came to this country from Japan eighteen years ago. He completed three years of study in medicine at Johns Hopkins University and then went to Washington, where he became chief at the Army and Navy Club.

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## HIGH FOOD COST TO HOLD ASSEMBLY

Legislators Ready to Tackle Living Problem at Opening To-day

## WHITMAN FACES BATTLE IN SENATE

Elton R. Brown and Others Determined to Block Governor's Programme

[From a Staff Correspondent of The Tribune]

Albany, Jan. 2.—The 1917 Legislature meets to-morrow noon, with a two-thirds Republican majority in both the Senate and Assembly. The Democratic and Republican caucuses to-night slatted the same officers of both houses as were at the helm last year. Most of the committee assignments will be the same, too. The first session will be more for organization and the reception of the Governor's message. An adjournment will then be taken until next Wednesday.

The Republican Senate caucus chose Senator Elton R. Brown, of Watertown, president pro tem, and majority leader. This will be his third term. No opposition arose. The Democrats turned again to Senator Robert F. Wagner for their leader. On the Assembly side Thaddeus C. Sweet was chosen Speaker for the fourth time, and Joseph M. Callahan, of New York, minority leader. Wagner and Callahan are the Tammany leaders in the Legislature.

The coming session promises to be a lively one throughout. Governor Whitman will undoubtedly try to dominate both houses, and will precipitate things at the outset by introducing his own budget. The joint budget committee will have another to present next month, and the ironing out process will afford the fireworks on this subject. Senators Sage and Brown have lined up with Speaker Sweet and others in the Assembly, it is understood, to fight the Whitman budget.

The most important legislation will relate to the high cost of living and the food supply of the state, local option, moving picture censorship and Sunday movies, compulsory military training, suffrage, Senate and Assembly reapportionment plans and probable changes of the election law.

## ENGINEERS' CLUB DINED BY NEW YORK ROTARY CLUB

Sydney B. Williamson, Guggenheim Expert, Describes Big Engineering Works

Members of the Engineers' Club were guests last evening of the Rotary Club of New York at a dinner at the Hotel McAlpin. Sydney B. Williamson, chief engineer in charge of the Guggenheim power development in South America, was the speaker. Illustrating his talk with stereopticon pictures, he described three large engineering undertakings of recent years, the completion of the Panama Canal, the completion of the Panama Canal, the completion of the Panama Canal.

More than 200 members of the Rotary Club attended the dinner. Among their guests were Major General Goetzka; J. E. Savage, chief engineer of the Long Island Railroad; A. D. Flynn, of the Board of Water Supply; George Ray, chief engineer of the Lackawanna Railroad; A. E. Owen, chief engineer of the Central Railroad of New Jersey; Lincoln Bush, Kort Herle; C. W. Hunt, secretary of the American Society of Civil Engineers; R. S. Parsons, chief engineer of the Erie Railroad; D. L. Turner, assistant chief engineer of the Public Service Commission; F. M. Talbot, Colonel John W. Howard; J. M. Edwards, of the American Bridge Company; Alexander Potter; H. E. Van Ness, of the Central Railroad of New Jersey; John C. Bonet, formerly State Engineer; A. P. Hoover and E. S. Vanderwart.

ITALY FORCES FEE TO KEEP 600,000 MEN ON HER FRONT

Has Conquered 1,200 Square Miles and Captured 85,000 Austrians

Rome, Jan. 2.—From thirty to forty-three Austrian divisions (600,000 to 850,000 men) are kept engaged along the Italian front, says an official communication issued to-day. The statement adds that since Italy entered the war she had conquered 1,200 square miles of territory, shortening her war front from 500 to 375 miles, with an aggregate of 1,875 miles of entrenched lines.

War material is being manufactured by 2,179 factories, employing 469,000 workers, including nearly 73,000 women. The Austrian prisoners now numbered 85,000.

## San Diego Fair Closes

San Diego, Cal., Jan. 2.—The Panama-California International Exposition closed at midnight after having been open for two years. Among congratulatory telegrams received was one from President Wilson. The attendance during the year was estimated at more than 2,500,000, slightly under the record established in 1915. The main buildings and the landscape effects will be preserved.

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Highest rating for tone quality at Panama-Pacific Exposition.

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CLEAR AS A BELL

## WILSON PLANNING PERSHING RECALL

Continued from page 1

Benjamin and Alberto J. Pani, Special Commissioners of the Citizen First Chief of the Constitutionalist Army entrusted with the executive power of the Mexican nation.

"Article I. The government of the United States agrees to begin the withdrawal of American troops from Mexico as soon as practicable, such withdrawal, subject to the further terms of this agreement, to be completed not later than (40) days after the approval of this agreement by both governments."

"Article II. The American commander shall determine the manner in which the withdrawal shall be effected, so as to insure the safety of the territory affected by the withdrawal."

"Article III. The territory evacuated by the American troops shall be occupied and adequately protected by the Constitutional forces, and such evacuation shall take place when the Constitutional forces have taken position to the south of the American forces, so as to make effective such occupation and protection. The Mexican commissioners shall determine the plan for the occupation and protection of the territory evacuated by the American forces."

"Article IV. The American and Mexican commanders shall deal separately, or wherever practicable in friendly cooperation, with any obstacles which may arise tending to delay withdrawal. In case there are any further activities of the forces inimical to the Constitutional government which threaten the safety of the international border along the northern section of Chihuahua, the withdrawal of American forces shall not be delayed beyond the period strictly necessary to overcome such activities."

"Article V. The withdrawal of American troops shall be effected by marching to Columbus, or by using the Mexican Northwestern Railroad to El Paso, or by both routes, as may be deemed most convenient or expedient by the American commander."

"Article VI. Each of the governments parties to this agreement shall guard the side of the international boundary. This, however, does not preclude such cooperation on the part of the military commanders of both countries as may be practicable."

"Article VII. This agreement shall take effect immediately upon approval by both governments. Notification of approval shall be communicated by each government to the other."

## LITTLE CONCERTS FOR YOUR HOME.

TONIGHT 8:30

7:17—Ave Maria, with String Quartet and Harp—MAUD POWELL.

5:06—Good-bye (Tosti)—WERNERATH.

16:47—My Garden that Blooms for You—JOHN BARNES WELLS.

15:44—Garden from China—CHU—VICTOR LIGHT OPERA CO.

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Ar. Chicago 2 P. M. (M